

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CLIFFORD BONNER, et.)
)
#208359)
)
Plaintiff,)
) CIVIL ACTION NO. 02-CV-409F
vs.)
)
J. C. GILES, et. al.,)
)
Defendants.)

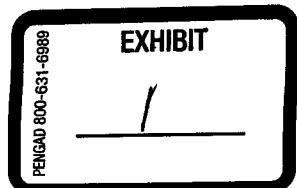
AFFIDAVIT

Before me, the undersigned authority, a Notary Public in and for said County and State of Alabama at Large, personally appeared one J. C. Giles, who being known to me and by me first duly sworn, deposes and says on oath as follows:

My name is J. C. Giles, and I am presently employed as a Warden III, with the Alabama Department of Corrections at the Ventress Correctional Facility in Clayton, Alabama.

Plaintiff, Clifford Bonner, #208359 alleges that I was supportive of the alleged assault on him on April 12, 2005 by Lt. John Dowling.

My investigation revealed that inmate Clifford Bonner, #208359 became very insubordinate to Lt. John Dowling when given an order to calm down. Inmate Bonner then began to cuss and yell louder raising his arms and hands aggressively forcing Lt. Dowling to use the necessary force to subdue inmate



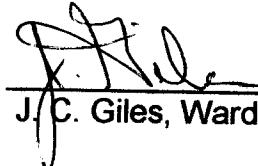
Page 2
Affidavit – J. C. Giles

Bonner until he could be handcuffed. Inmate Clifford Bonner, #208359 was allegedly upset because he was going to be placed in Administrative Segregation and possibly transferred due to an enemy situation here at Ventress.

Attached are copies of the incident report and body chart done on this incident.
(See Exhibit A)

At no time was I or will I be supportive of any unjustifiable use of force on any inmate or staff.

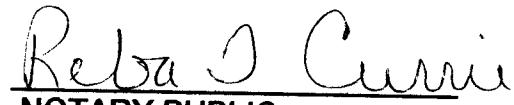
The above-related facts are the entirety of my involvement with inmate Clifford Bonner, #208359 regarding these allegations. I deny that I have violated any of his constitutional rights.

 5-16-05
J.C. Giles, Warden III Date

STATE OF ALABAMA)

BARBOUR COUNTY)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 110th DAY OF May,
2005.


NOTARY PUBLIC
MY COMMISSION EXPIRES: 9-8-08

AFFIDAVIT

)
)
)
)

STATE OF ALABAMA

I, Reba T. Currie, hereby certify and affirm that I am a ASAIII, at Ventress Correctional Facility; that I am one of the custodian of records at this institution; that the attached documents are true, exact, and correct photocopies of certain documents maintained here in the institutional files; and that I am over the age of twenty-one years and am competent to testify to the aforesaid documents and matters stated therein.

I, further certify and affirm that said documents on Clifford Bonner #208359 are maintained in the usual and ordinary course of business at the Ventress Correctional Facility; and that said documents were made at, or reasonably near the time that the transactions referred to therein are said to have occurred.

This, I do hereby certify and affirm to on this the 17th day of May, 2005.

Reba T. Currie

SWORN TO AND SUBSCRIBED BEFORE ME THIS 17th DAY OF May, 2005.

Carolyn W. Daniels
Notary Public
My Commission Expires: 04/06/06

**STATE OF ALABAMA
BOARD OF CORRECTIONS
INSTITUTIONAL INCIDENT REPORT**

1. Institution:	2. Date:	3 Time:	4. Incident Number:
Ventress Correctional Facility	4/12/05	1:05 p.m.	
5. Location Where Incident Occurred		6. Type of Incident:	
Dorm 10 Lobby		Violation of Rule #44 - Threats	
7. Time Incident Reported:		8. Who Received Report:	
1:08 p.m.		J. S. Giles, Warden III	
9. Victim:			
a. n/a (type full name)		No. _____	
b. _____ (type full name)		No. _____	
10. Suspects:		11. Witnesses:	
a. Clifford Bonner	No. #208359	a. N/A	No. _____
b. _____	No. _____	b. _____	No. _____
c. _____	No. _____	c. _____	No. _____
d. _____	No. _____	d. _____	No. _____
e. _____	No. _____	e. _____	No. _____
		f. _____	No. _____
		g. _____	No. _____
		h. _____	No. _____
		i. _____	No. _____
Physical Evidence:			
12. Type of Evidence: N/A			
13. Description of Evidence: N/A			
14. Chain of Evidence: N/A			
a. _____			
b. _____			
c. _____			
d. _____			
15. Narrative Summary:			
<p>On April 12, 2005 at approximately 1:05 p.m., Lt. John S. Dowling entered 10 dorm lobby area. Inmate Clifford Bonner, #208359 began staring at Lt. Dowling. Lt. Dowling asked inmate Bonner about his behavior, inmate Bonner stated, "What do you mean, why you fucking with me?" Lt. Dowling began to reprimand Inmate Bonner on his behavior. Inmate Bonner picked up some laundry bags and started to walk off. Lt. Dowling ordered inmate Bonner to stop and enter room #808 (small office). Lt. Dowling attempted to reprimand Inmate Bonner again, when inmate Bonner began to yell, "What you want me to do?" raising his hands and arms in a wild manner. Lt. Dowling ordered inmate Bonner to stop raising his hands and arms. Inmate Bonner got louder and continued to raise his hands and arms. Lt. Dowling placed his hands on inmate Bonner's chest</p>			

Distribution: Original to I & I Division
 Copy to Institutional File
 Copy to Central Records File

ADOC Form 601 Revised 4-6-99

Annex A (Page 1 of 2)

CONTINUATION SHEET

Institution:

Incident Number:

Ventress Correctional Facility

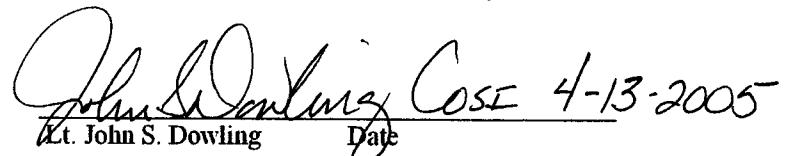
Date:

Type of Incident:

April 12, 2005Violation of Rule #44 - ThreatsNarrative Summary (Continued) Page No. 2 of 2

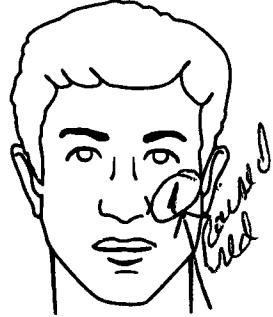
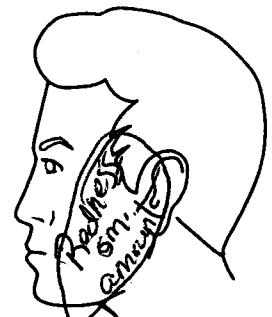
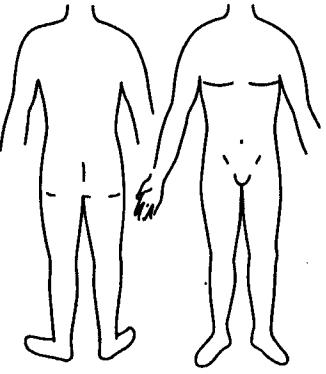
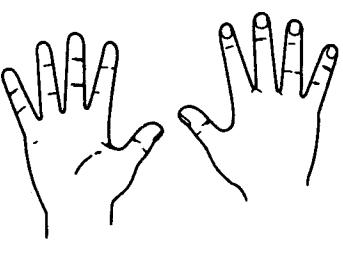
and face and pushed inmate Bonner against the wall. Officer Larry Thomas and Officer Jimmy Rumph entered and placed handcuffs on inmate Bonner. Inmate Bonner was escorted to HCU by Officer Aaron Patterson and Officer Jimmy Rumph at approximately 1:15 p.m. where Nurse Frances Smith treated and completed a body chart on inmate Bonner. Warden J. C. Giles was notified at approximately 1:08 p.m. Inmate Bonner was placed in Holding Cell #105 by Officers' Cargle and Patterson.

No force was used except that was necessary to prevent Lt. Dowling from being assaulted. No disciplinary action taken per Warden J.C. Giles due to transfer. Inmate Bonner and another inmate are being transferred for security reasons. This is for information and classification purposes.



Lt. John S. Dowling Case 4-13-2005
Date

EMERGENCY
Ventress

ADMISSION DATE		TIME	ORIGINATING FACILITY			<input type="checkbox"/> SICK CALL <input type="checkbox"/> EMERGENCY <input type="checkbox"/> OUTPATIENT																		
<u>4/12/05</u>		<u>1320</u> AM	<input type="checkbox"/> SIR <input type="checkbox"/> PDL <input type="checkbox"/> ESCAPEE <input type="checkbox"/>																					
ALLERGIES		<u>Keflex</u>		WT. <u>283 1/2</u>																				
VITAL SIGNS: TEMP		<u>98.8</u>	ORAL RECTAL	RESP.	<u>18</u>	PULSE <u>84</u> B/P <u>124, 86</u> RECHECK IF SYSTOLIC <u><100> 50</u>																		
NATURE OF INJURY OR ILLNESS		<table border="1"> <tr> <td>ABRASION //</td> <td>CONTUSION #</td> <td>BURN XX XX</td> <td>FRACTURE Z Z</td> <td>LACERATION / SUTURES</td> </tr> </table> <p><i>S - No medical complaints voiced at this time.</i></p>					ABRASION //	CONTUSION #	BURN XX XX	FRACTURE Z Z	LACERATION / SUTURES													
ABRASION //	CONTUSION #	BURN XX XX	FRACTURE Z Z	LACERATION / SUTURES																				
		  <p>PROFILE RIGHT OR LEFT</p>																						
		  <p>RIGHT OR LEFT</p>																						
PHYSICAL EXAMINATION		<p><i>O - B/m escorted to HCU. A: 0</i></p> <p><i>X3. Skin warm & dry to touch. Respirations even & unlabored. Small amount redness to (L) side of face & ear present. Raised red area approx 1 in. noted to (R) side of face near (L) eye.</i></p>																						
		<table border="1"> <tr> <td>ORDERS / MEDICATIONS / IV FLUIDS</td> <td>TIME</td> <td>BY</td> </tr> <tr> <td colspan="3"><i>Pulse pack to (L) side of face.</i></td> </tr> <tr> <td colspan="3"></td> </tr> <tr> <td colspan="3"></td> </tr> <tr> <td colspan="3"></td> </tr> <tr> <td colspan="3"></td> </tr> </table>					ORDERS / MEDICATIONS / IV FLUIDS	TIME	BY	<i>Pulse pack to (L) side of face.</i>														
ORDERS / MEDICATIONS / IV FLUIDS	TIME	BY																						
<i>Pulse pack to (L) side of face.</i>																								
DIAGNOSIS		<p><i>A - Doc Body chart</i></p>																						
INSTRUCTIONS TO PATIENT		<p><i>P - Sick call PRN</i></p>																						
DISCHARGE DATE		TIME	RELEASE / TRANSFERRED TO	<input checked="" type="checkbox"/> DOC <input type="checkbox"/> AMBULANCE <input type="checkbox"/>	CONDITION ON DISCHARGE																			
<u>4/12/05</u>		<u>1345</u> AM	<input checked="" type="checkbox"/> SATISFACTORY <input type="checkbox"/> FAIR <input type="checkbox"/>	<input type="checkbox"/> POOR <input type="checkbox"/> CRITICAL																				
NURSE'S SIGNATURE		DATE	PHYSICIAN'S SIGNATURE	DATE	CONSULTATION																			
<i>J. Smith</i>																								
INMATE NAME (LAST, FIRST, MIDDLE)				DOC#	DOB	R/S	FAC.																	
<i>Bonner, Clifford</i>				<u>208359</u>	<u>2/19/69</u>	<u>B/m</u>	<u>UCF</u>																	